

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Services – Registration and Stamps Department – Certain irregularities committed by Sri P.Sivanandam, former Sub Registrar, Tenali, Guntur District, now retired – Review under Rule 40 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules read with Rule 9 of Andhra Pradesh Revised Pension Rules, 1980 – Imposing a penalty of 5% cut in pension permanently besides recovery of loss i.e., Rs.6,15,490/- Orders – Issued - Reg.

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**REVENUE (VIGILANCE-II) DEPARTMENT**

**G.O.Rt.No.692.**

Dated: 11.07.2014.

Read the following:-

1. From Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad Letter No.X1/7342/2008, dated: 01.05.2009.
2. From the Commissioner & Inspector General, Registration & Stamps, Andhra Pradesh, Hyderabad Procs.No.X1/7342/2008, dated: 30.08.2010.
3. Govt. Memo.No.24729/Vig.VI (1)/2009-5, dated: 23.06.2012.
4. Explanation of Sri P.Sivanandam, Sub-Registrar (Retd) dated: 4-10-2012.
5. Govt. Memo.No.24729/Vig.VI (1)/2009-8, dated: 10.09.2013.
6. Explanation of Sri P.Sivanandam, SR (Retd) dated: 16-11-2013.
7. Govt. Lr.No.24729/Vig.VI (1)/2009-11, dated: 28.12.2013.
8. From the Secretary, APPSC, Lr.No.354/RT/2/2014, dated: 20.03.2014.
9. Govt. Lr. No.24729/Vig.VI (1)/2009-12, dated: 07.04.2014.
10. Secretary, APPSC Lr.No.354/RT/2/2014, dated: 21.05.2014.
11. Govt., Memo.No.24729/Vig.II (1)/2009-13, dated: 27-6-2014.
12. Secretary, APPSC Lr.No.354/RT/2/2014, dated: 09.07.2014.

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**ORDER:**

Where as, the General Administration (Vigilance and Enforcement) Department conducted an enquiry on the complaint and detected loss of the stamp duty and registration fees of Rs.6,15,490/- in respect of sale deed No.4111 & 4514 of 2004 which was registered by Sri P.Sivanandam, former In-charge Sub Registrar, Tenali (now retired). The Director General, Vigilance & Enforcement Department was therefore requested the Government to initiate action against the Accused Officer. Accordingly, instructions were issued to the Deputy Inspector General, Registration & Stamps Department, Guntur for taking disciplinary action.

2. Where as, the Disciplinary Authority and the Deputy Inspector General, Registration & Stamps, Guntur issued Article of Charges against the Accused Officer and conducted regular enquiry in which charges were not held proved. After examining findings of the Regular Enquiry Officer, the Disciplinary Authority and the Deputy Inspector General, Registration & Stamps Department, Guntur has issued final orders, exonerating the Accused Officer i.e. Sri P.Sivanandam, former In-charge Sub Registrar, Tenali from the charges vide his Procs.No.A1/191/07, dt:31-8-2007.

3. On receipt of the above final orders of Deputy Inspector General, Registration and Stamps, Guntur, the Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad has ordered for re-enquiry since documents were admitted with square yard rate and some with Acre rate, and the same Regular Enquiry Officer submitted his further report. After examining the report, the Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad reviewed the case under Rule 40 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 and issued a show cause notice to the Charged Officer. After examining the explanation of the Charged Officer, while accepting the procedure adopted by the Sub Registrar, the Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh Hyderabad issued orders exonerating the Charged Officer from the charges and informed the same to the Director General, Vigilance and Enforcement Department.

4. The Director General, Vigilance and Enforcement Department has sent the same to the Government for taking necessary action. After examining the issue, the Commissioner and

Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad was requested to direct the disciplinary authority i.e. Deputy Inspector General, Registration & Stamps, Guntur to re-examine the issue at length as advised by Director General, Vigilance and Enforcement Department, in Letter dated 22.12.2009 and take a provisional view on the issue and then send the proposal to the Government before issue of the final orders by the disciplinary authority vide Memo dated 15.02.2010.

5. The Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad has reported that on examination of the entire issue with connected records, the Appellate Authority i.e., Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad decided that there were no irregularities in above procedure and there is no deficit stamp duty since the party adopted the values as per the Market Value Guidelines Register, adopting Square yard rate for small plots and Acre rate for large extent and opined that there was no irregularity in the procedure adopted by the Sub Registrar and it is accepted procedure and it is informed that there was no deficit stamp duty and that Sub Registrar is not at fault.

6. Government after examination of the report of the Commissioner and Inspector General, Registration and Stamps, Hyderabad in the reference 2<sup>nd</sup> read above, observed that the version of the Commissioner and Inspector General that adopting square yard rate for small plots and Acre rate for large extent for the same area appears to be not correct and as such, decided to review the orders of the Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad issued in the reference 1<sup>st</sup> read above, exonerating the Charged Officer Sri P.Sivanandam, former Sub Registrar, Tenali, Guntur District (now retired) from the charges, under rule 40 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991. Therefore, a show cause notice was issued to Sri P.Sivanandam, Sub-Registrar (Retired) on the following grounds, as to why punishment should not be imposed on him in the reference 3<sup>rd</sup> read above.

“Sri P.Shivanandam, former In-charge Sub-Register, Tenali, Guntur District (now retired), the successor of Md.Nazul Hussin, knowing verywell that his predecessor had kept the sale deed pending as the land in adjacent Sy.Nos. to the land mentioned in Sale Deed No.4111/04 is being registered as plots, registered the sale deed No.4111/04, dated 09.10.2004 on acreage basis. Subsequently Sri P.Shivanandam, Sub Registrar (Retired) also registered Doc.No.4141 to 4248 of 2004 in the names of various venders to whom Sri N.N.V.Basavaiah had sold the very same land on 5-10-2004 as plots. Similarly Sri P.Shivanandam, Sub Registrar (Retired) took up registration of document Nos.4514/04, dt.1-11-2004 on acreage basis and also registered land pertaining to document No.4514/2004 in the names of various vendees vide documents Nos.4574 to 4579/2004 sold by Sri N.N.V.Basavaiah on 04.11.2004 at yard rate. Therefore, his action, adopting square yard rate for small plots and Acre rate for large extent to the same area are not correct.”

“Therefore, it is clear that Sri P.Shivanandam, Sub Registrar (Retired) neglected his duty and has registered the pending documents in violation of instructions issued in Circular No.MVII/27266/94-2, dated 03.09.1994 of Commissioner and Inspector General, resulting in a loss of revenue to a tune of Rs.6,15,449/- to the State Exchequer.”

7. In the reference 4<sup>th</sup> read above, the Charged Officer submitted explanation stating the facts of the case and finally requested the Government to drop further action in the matter.

8. After examining the same, Government, have provisionally decided to impose a punishment of 5% cut in pension permanently besides recovery of Rs.6,15,490/- and issued Show Cause Notice to Charged Officer with a direction to submit his representation as to why 5% cut in pension permanently besides recovery of loss of Rs.6,15,490/- should not be imposed on him in the reference 5<sup>th</sup> read above.

9. In the reference 6<sup>th</sup> read above, the Charged Officer submitted his representation stating among other things that he did not register Sale deeds on yard basis and subsequently an acreage basis and finally requested the Government to drop further action against him.

10. Government after examination of the matter have decided to confirm the provisional decision i.e., to impose a penalty of 5% cut in pension permanently besides recovery of loss of Rs.6,15,490/- against the Charged Officer. In the reference 12<sup>th</sup> read above, the Andhra Pradesh Public Service Commission agreed with the proposal of Government. (Copy enclosed).

11. Accordingly, Government hereby order to impose a punishment of 5% cut in pension permanently besides recovery of loss of Rs.6,15,490/- against Sri P.Sivanandam, Sub-Registrar (Retired).

12. The Commissioner and Inspector General, Registration and Stamps, Andhra Pradesh, Hyderabad / Deputy Inspector General, Registration and Stamps, Guntur shall take necessary action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**S.P.SINGH**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

**To**

The Commissioner and Inspector General,  
Registration and Stamps, A.P., Hyderabad  
The Deputy Inspector General, Registration and Stamps, Guntur District.  
The Individual (w.e)  
(through Deputy Inspector General, Registration and Stamps, Guntur District)

**Copy to:**

The Secretary to the Vigilance Commissioner,  
Andhra Pradesh Vigilance Commission, Hyderabad.  
The Director General, Anti Corruption Bureau, Hyderabad.  
The Secretary, Andhra Pradesh Public Service Commission, Hyderabad.  
The Government Pleader for Revenue (Services),  
Andhra Pradesh Administrative Tribunal, Hyderabad.  
(with reference to CA.No.2044/2013 in OA.No.9758/2012)  
SF / SC.

//Forwarded :: By Order//

**SECTION OFFICER**